

Message Text

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42

ACTION L-03

INFO OCT-01 AF-10 NEA-10 IO-13 ADP-00 RSR-01 COA-02

CIAE-00 DODE-00 PM-07 H-02 INR-10 NSAE-00 NSC-10

PA-03 RSC-01 PRS-01 SS-15 USIA-12 INT-08 COME-00 CG-00

DOTE-00 FMC-04 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06

CEQ-02 EB-11 ACDA-19 AEC-11 AGR-20 /187 W

----- 127345

R 191248 Z JUN 73

FM AMEMBASSY BEIRUT

TO SECSTATE WASHDC 2773

INFO AMEMBASSY ABU DHABI

USINT ALGIERS

AMEMBASSY AMMAN

AMEMBASSY JIDDA

AMEMBASSY KHARTOUM

AMEMBASSY KUWAIT

AMEMBASSY RABAT

AMEMBASSY SANAA

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

USMISSION USUN NEW YORK

USMISSION GENEVA

USINT BAGHDAD

C O N F I D E N T I A L BEIRUT 7243

DEPT PASS USINT CAIRO

KUWAIT PASS DOHA, MANAMA, MUSCAT

E. O. 11652: GDS

TAGS: PBOR, ACOM UN, XF

SUBJ: ARAB POSITIONS OF LAW OF THE SEA

REF: BEIRUT A-65, MARCH 21

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1. FONOFF'S DIRECTOR OF UN AND INTERNATIONAL ORGANIZATION AFFAIRS, WHO REPRESENTED LEBANON AT LAST WEEK'S ARAB LEAGUE LOS CONFERENCE IN CAIRO, TELLS US THAT LITTLE PROGRESS WAS MADE TOWARD ADOPTION OF COMMON ARAB POSITIONS ON LOS ISSUES-- E. G., NAVIGATION OF STRAITS, FISHING ZONES AND INTERNATIONAL SEABED REGIME-- THAT WERE LEFT UNRESOLVED AT SIMILAR CONFERENCE LAST FEBRUARY (REFAIR). ON QUESTION OF STRAITS, HE SAID IRAQI DELEGATE-- OBVIOUSLY MOTIVATED BY BAGHDAD'S CONCERN RE PASSAGE RIGHTS IN SHATT AL ' ARAB AND STRAIT OF HORMUZ-- HAD FORMALLY PROPOSED THAT PRINCIPLE OF FREE NAVIGATION, INCLUDING RIGHT OF INNOCENT PASSAGE, BE ADOPTED AS COMMON ARAB POSITION. CONFEREES COULD ONLY AGREE, HOWEVER, TO REFER ISSUE AGAIN TO THEIR RESPECTIVE GOVTS FOR " FURTHER STUDY."

2. SOURCE SAID HE AND OTHER CONFERENCE PARTICIPANTS WERE IMPRESSED BY IRAQI DELEGATE'S ARGUMENT THAT TRADITIONAL ARAB (I. E., EGYPTIAN) OPPOSITION TO FREEDOM OF NAVIGATION IN STRAIT OF TIRAN WAS UNTENABLE ON SEVERAL GROUNDS:

(A) IN THEORY, STATE OF WAR EXISTING BETWEEN ISRAEL AND EGYPT PROVIDES LATTER WITH ADEQUATE LEGAL BASIS FOR DENYING PASSAGE RIGHTS TO ISRAEL; (B) AS PRACTICAL MATTER, ISRAELI OCCUPATION OF SINAI PREVENTS EGYPT FROM ENFORCING BAN ON ISRAEL'S USE OF STRAIT, REGARDLESS OF BASIS ON WHICH SUCH BAN IS MAINTAINED; AND (C) EGYPTIAN ACCEPTANCE OF SC RES 242 MEANS GOE HAS ALREADY ACCEPTED PRINCIPLE OF FREE NAVIGATION AND, IN EVENT OF PEACEFUL SETTLEMENT, WOULD HAVE NO GROUNDS FOR DENYING IT TO ISRAEL. WHILE THIS ARGUMENT WAS PRIVATELY VIEWED AS LOGICAL AND REASONABLE BY MOST PARTICIPANTS (INCLUDING EGYPTIANS THEMSELVES), TABLING OF IRAQI PROPOSAL CLEARLY EMBARRASSED GOE AND WAS JUDGED UNACCEPTABLE FOR THAT REASON ALONE.

HOUGHTON

NOTE BY OC/ T: NOT PASSED USINT CAIRO.

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*** Current Classification *** CONFIDENTIAL

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TAGS: ACOM, PBOR, XF
To: ABU DHABI
ALGIERS
AMMAN
JIDDA
KHARTOUM
KUWAIT
L

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